

Claims

- [c1] 1. A method performed with respect to an entity, indicia of ownership of the entity trading at a price, the method comprising the steps of:
issuing a financial instrument indicative of a principal amount and receiving money therefor;
promising, pursuant to the financial instrument, to repay said principal upon predetermined conditions and according to a predetermined term;
promising, pursuant to the financial instrument, to allow a holder of the instrument to convert the instrument into indicia of ownership of the entity at a conversion price upon a contingency, the contingency comprising an event, occurring during the term, of indicia of ownership of the entity reaching a value that is in a predetermined relationship with the conversion price; and
converting the instrument upon the holder's request if the contingency is satisfied.
- [c2] 2. The method of claim 1 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.
- [c3] 3. The method of claim 1 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.
- [c4] 4. The method of claim 1 further comprising promising, pursuant to the financial instrument, to make cash interest payments prior to maturity according to a predetermined schedule.
- [c5] 5. The method of claim 1 further comprising the step of issuing the financial instrument as a physical document.
- [c6] 6. A financial instrument issued by an entity with respect to a borrowed principal amount, indicia of ownership of the entity trading at a price, the instrument comprising:
a provision obligating the entity to repay the principal according to a predetermined term;

a provision making the instrument convertible into a predetermined number of indicia of ownership of the entity at a predetermined conversion price upon a contingency;

a provision defining the contingency as an event, occurring during the term, of indicia of ownership of the entity reaching a value that is in a predetermined relationship with the conversion price.

[c7] 7. The financial instrument of claim 6 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.

[c8] 8. The financial instrument of claim 6 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.

[c9] 9. The financial instrument of claim 6 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.

[c10] 10. The financial instrument of claim 6 wherein the instrument further comprises a provision obligating the entity to make cash interest payments prior to maturity according to a predetermined schedule.

[c11] 11. An offering document offering financial instrument issued by an entity with respect to a borrowed principal amount, indicia of ownership of the entity trading at a price, the instrument comprising:

a provision obligating the entity to repay the principal according to a predetermined term;

a provision making the instrument convertible into a predetermined number of indicia of ownership of the entity at a predetermined conversion price upon a contingency;

a provision defining the contingency as an event, occurring during the term, of indicia of ownership of the entity reaching a value that is in a predetermined relationship with the conversion price.

[c12] 12. The offering document of claim 11 wherein the contingency further

comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.

[c13] 13. The offering document of claim 11 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.

[c14] 14. The offering document of claim 11 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.

[c15] 15. A method performed with respect to an entity, indicia of ownership of the entity trading at a price, the method comprising the steps of:
issuing a financial instrument indicative of a principal amount and receiving money therefor;
promising, pursuant to the financial instrument, to repay said principal upon predetermined conditions and according to a predetermined term;
promising, pursuant to the financial instrument, to allow a holder of the instrument to convert the instrument into indicia of ownership of the entity at a conversion price upon a contingency, the contingency being other than the mere passage of time; and
converting the instrument upon the holder's request if the contingency is satisfied.

[c16] 16. The method of claim 15 wherein the contingency further comprises an event, occurring during the term, of indicia of ownership of the entity reaching a value that is in a predetermined relationship with the conversion price.

[c17] 17. The method of claim 15 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.

[c18] 18. The method of claim 15 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.

- [c19] 19. The method of claim 15 further comprising promising, pursuant to the financial instrument, to make cash interest payments prior to maturity according to a predetermined schedule.
- [c20] 20. The method of claim 15 further comprising the step of issuing the financial instrument as a physical document.
- [c21] 21. A financial instrument issued by an entity with respect to a borrowed principal amount, indicia of ownership of the entity trading at a price, the instrument comprising:
a provision obligating the entity to repay the principal according to a predetermined term;
a provision making the instrument convertible into a predetermined number of indicia of ownership of the entity at a predetermined conversion price upon a contingency;
a provision defining the contingency as an event, occurring during the term, other than the mere passage of time.
- [c22] 22. The financial instrument of claim 21 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.
- [c23] 23. The financial instrument of claim 21 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.
- [c24] 24. The financial instrument of claim 21 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.
- [c25] 25. An offering document offering a financial instrument issued by an entity with respect to a borrowed principal amount, indicia of ownership of the entity trading at a price, the instrument comprising:
a provision obligating the entity to repay the principal according to a predetermined term;
a provision making the instrument convertible into a predetermined number of

indicia of ownership of the entity at a predetermined conversion price upon a contingency;

a provision defining the contingency as an event, occurring during the term, other than the mere passage of time.

[c26] 26. The offering document of claim 25 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.

[c27] 27. The offering document of claim 25 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.

[c28] 28. The offering document of claim 25 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.

[c29] 29. A method performed with respect to an entity, indicia of ownership of the entity trading at a price, the method comprising the steps of:
issuing a financial instrument and receiving money therefor;
promising, pursuant to the financial instrument, to allow a holder of the instrument to convert the instrument to indicia of ownership of the entity at a conversion price upon a contingency, the contingency comprising an event, occurring during the term, of indicia of ownership of the entity reaching a value that is in a predetermined relationship with the conversion price; and
converting the instrument upon the holder's request if the contingency is satisfied.

[c30] 30. The method of claim 29 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.

[c31] 31. The method of claim 29 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.

- [c32] 32. A financial instrument issued by an entity, indicia of ownership of the entity trading at a price, the instrument comprising:
a provision making the instrument convertible into a predetermined number of indicia of ownership of the entity at a predetermined conversion price upon a contingency;
a provision defining the contingency as an event, occurring during the term, of indicia of ownership of the entity reaching a value that is in a predetermined relationship with the conversion price.
- [c33] 33. The financial instrument of claim 32 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.
- [c34] 34. The financial instrument of claim 32 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.
- [c35] 35. The financial instrument of claim 32 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.
- [c36] 36. An offering document offering a financial instrument issued by an entity, indicia of ownership of the entity trading at a price, the instrument comprising:
a provision making the instrument convertible into a predetermined number of indicia of ownership of the entity at a predetermined conversion price upon a contingency;
a provision defining the contingency as an event, occurring during the term, of indicia of ownership of the entity reaching a value that is in a predetermined relationship with the conversion price.
- [c37] 37. The offering document of claim 36 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.
- [c38] 38. The offering document of claim 36 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least

110% of the conversion price.

[c39] 39. The offering document of claim 36 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.

[c40] . A method performed with respect to an entity, indicia of ownership of the entity trading at a price, the method comprising the steps of:
issuing a financial instrument receiving money therefor;
promising, pursuant to the financial instrument, to allow a holder of the instrument to convert the instrument to indicia of ownership of the entity at an exchange price upon a contingency, the contingency being other than the mere passage of time; and
converting the instrument upon the holder's request if the contingency is satisfied.

[c41] 41. The method of claim 40 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.

[c42] 42. The method of claim 40 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.

[c43] 43. A financial instrument issued by an entity, indicia of ownership of the entity trading at a price, the instrument comprising:
a provision making the instrument convertible into a predetermined number of indicia of ownership of the entity at a predetermined conversion price upon a contingency, the contingency being other than the mere passage of time.

[c44] 44. The financial instrument of claim 43 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.

[c45] 45. The financial instrument of claim 43 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least

110% of the conversion price.

- [c46] 46. The financial instrument of claim 43 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.
- [c47] 47. An offering document offering a financial instrument issued by an entity, indicia of ownership of the entity trading at a price, the instrument comprising: a provision making the instrument convertible into a predetermined number of indicia of ownership of the entity at a predetermined conversion price upon a contingency, the contingency being other than the mere passage of time.
- [c48] 48. The offering document of claim 47 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.
- [c49] The offering document of claim 47 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.
- [c50] 50. The financial instrument of claim 47 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.
- [c51] 51. A method performed with respect to a first entity, the method comprising the steps of:
issuing a financial instrument and receiving money therefor;
promising, pursuant to the financial instrument, to allow a holder of the instrument to exchange the instrument for indicia of ownership of a second entity at an exchange price upon a contingency, the contingency comprising an event, occurring during the term, of indicia of ownership of the second entity reaching a value that is in a predetermined relationship with the exchange price;
and
exchanging the instrument upon the holder's request if the contingency is satisfied.

- [c52] 52. The method of claim 51 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 110% of the exchange price.
- [c53] 53. The method of claim 51 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 120% of the exchange price.
- [c54] 54. A financial instrument issued by a first entity, the instrument comprising:
a provision making the instrument exchangeable into a predetermined number of indicia of ownership of a second entity at a predetermined exchange price upon a contingency;
a provision defining the contingency as an event, occurring during the term, of indicia of ownership of the second entity reaching a value that is in a predetermined relationship with the exchange price.
- [c55] 55. The financial instrument of claim 54 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least the exchange price.
- [c56] 56. The financial instrument of claim 54 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 110% of the exchange price.
- [c57] 57. The financial instrument of claim 54 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 120% of the exchange price.
- [c58] 58. An offering document offering a financial instrument issued by a first entity, the instrument comprising:
a provision making the instrument exchangeable into a predetermined number of indicia of ownership of a second entity at a predetermined exchange price upon a contingency;
a provision defining the contingency as an event, occurring during the term, of indicia of ownership of the second entity reaching a value that is in a predetermined relationship with the exchange price.

- [c59] 59. The offering document of claim 58 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.
- [c60] 60. The offering document of claim 58 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.
- [c61] 61. The offering document of claim 58 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.
- [c62] 62. A method performed with respect to a first entity, the method comprising the steps of:
issuing a financial instrument receiving money therefor;
promising, pursuant to the financial instrument, to allow a holder of the instrument to exchange the instrument for indicia of ownership of a second entity at an exchange price upon a contingency, the contingency being other than the mere passage of time; and
exchanging the instrument upon the holder's request if the contingency is satisfied.
- [c63] 63. The method of claim 62 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 110% of the exchange price.
- [c64] 64. The method of claim 62 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 120% of the exchange price.
- [c65] 65. A financial instrument issued by a first entity, the instrument comprising:
a provision making the instrument exchangeable into a predetermined number of indicia of ownership of a second entity at a predetermined exchange price upon a contingency, the contingency being other than the mere passage of time.

- [c66] 66. The financial instrument of claim 66 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least the exchange price.
- [c67] The financial instrument of claim 67 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 110% of the exchange price.
- [c68] 68. The financial instrument of claim 68 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 120% of the exchange price.
- [c69] 69. An offering document offering a financial instrument issued by a first entity, the instrument comprising:
a provision making the instrument exchangeable into a predetermined number of indicia of ownership of a second entity at a predetermined exchange price upon a contingency the contingency being other than the mere passage of time.
- [c70] 70. The offering document of claim 69 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least the conversion price.
- [c71] 71. The offering document of claim 69 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.
- [c72] 72. The offering document of claim 69 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.
- [c73] 73. A method performed with respect to an entity, the method comprising the steps of:
issuing a financial instrument and receiving money therefor;
promising, pursuant to the financial instrument, to allow a holder of the instrument to exchange the instrument for an underlying reference at an exchange price upon a contingency, the contingency being other than the mere

passage of time; and

exchanging the instrument upon the holder's request if the contingency is satisfied.

- [c74] 74. The method of claim 73 wherein the contingency further comprises the underlying reference reaching a value that is at least 110% of the exchange price.
- [c75] 75. The method of claim 74 wherein the contingency further comprises the underlying reference reaching a value that is at least 120% of the exchange price.
- [c76] 76. A financial instrument issued by a first entity, the instrument comprising: a provision making the instrument exchangeable into a predetermined number of an underlying reference at a predetermined exchange price upon a contingency, the contingency being other than the mere passage of time.
- [c77] 77. The financial instrument of claim 66 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least the exchange price.
- [c78] 78. The financial instrument of claim 67 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 110% of the exchange price.
- [c79] 79. The financial instrument of claim 68 wherein the contingency further comprises the indicia of ownership of the second entity reaching a value that is at least 120% of the exchange price.
- [c80] 80. An offering document offering a financial instrument issued by a first entity, the instrument comprising:
a provision making the instrument exchangeable into a predetermined number of indicia of ownership of a second entity at a predetermined exchange price upon a contingency the contingency being other than the mere passage of time.
- [c81] 81. The offering document of claim 69 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least

the conversion price.

[c82] 82. The offering document of claim 69 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 110% of the conversion price.

[c83] 83. The offering document of claim 69 wherein the contingency further comprises the indicia of ownership of the entity reaching a value that is at least 120% of the conversion price.